



Order Filed on May 6, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY (NEWARK)**

Caption in Compliance with D.N.J. LBR 9004-2(c)
Robertson, Anschutz, Schneid, Crane & Partners, PLLC
130 Clinton Road, Suite 202
Fairfield, NJ 07004
Telephone Number: 973-575-0707
Attorneys For Secured Creditor

Shauna Deluca, Esq. (SD-8248)

In Re:

Michael S Weston,

Debtor.

Case No.: 18-21762-RG

Chapter: 13

Judge: Rosemary Gambardella

**CONSENT ORDER REGARDING TREATMENT OF POST-PETITION ARREARS
PURSUANT TO FORBEARANCE AGREEMENT**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: May 6, 2021

A handwritten signature in cursive script that reads "Rosemary Gambardella".

Honorable Rosemary Gambardella
United States Bankruptcy Judge

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Debtor: Michael S Weston

Case No.: 18-21762-RG

Caption of Order: Consent Order Regarding Treatment of Post-Petition Arrears Pursuant to Forbearance Agreement

THIS MATTER having come before the Court on the Debtor's Request to Forbear Mortgage Payments, by and through his counsel, Scott D. Sherman, and HSBC Bank USA, National Association as Trustee for Nomura Asset Acceptance Corporation, Alternative Loan Trust, Series 2007-2 ("Secured Creditor") the Secured Creditor on the Debtor's real property located at 11 Camelot Way, Parsippany, NJ 07054 (the "Property"), represented by Robertson, Anschutz, Schneid, Crane & Partners, PLLC, and the parties agreeing to the entry of this Order resolving repayment of forborne mortgage payments, and for good cause shown; it is ORDERED AND DECREED as follows:

1. Secured Creditor filed its Proof of Claim on August 9, 2018 as Claim 1-1. Pursuant to the Proof of Claim, the pre-petition arrears owed Secured Creditor are \$103,866.87.
2. On or about November 2, 2020 and February 12, 2021, Secured Creditor filed Notices of Request for Mortgage Forbearance Due to the Covid-19 Pandemic (*See* Docket No. 83 and 90). Pursuant to the Notices of Request for Mortgage Forbearances, the parties agreed to forbear post-petition obligations that would come due for one-hundred eighty (180) days from October 19, 2020 through and including April 18, 2021.
3. The current post-petition default which has resulted as a result of the Forbearance Agreement includes the November 1, 2020 through and including April 1, 2021 payment, less \$0.00 in suspense, for a total of \$20,680.44.
4. The amount of \$20,680.44 shall be capitalized into the Debtor's Chapter 13 Plan. Debtor must file a Modified Plan within fifteen (15) days of the entry of this Order. The Debtor's monthly payment to the Chapter 13 Trustee will be modified to an amount necessary to appropriately fund the Plan in accordance with this Order.
5. The Debtor shall commence ongoing post-petition payments in the amount of \$3,446.74 directly to Secured Creditor commencing on May 1, 2021. This amount is subject to change based on escrow and/or interest rate adjustments.
6. Secured Creditor shall retain its first mortgage lien on the Property and none of its rights are being modified.
7. The parties agree that this Consent Order in no way alters, amends, or invalidates any applicable bankruptcy remedies afforded to them.
8. Facsimile signatures shall be valid as original signatures and this Consent Order may be executed in counterparts.
9. This order shall be incorporated in and become part of any Order Confirming Plan in the herein matter.

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Debtor: Michael S Weston

Case No.: 18-21762-RG

Caption of Order: Consent Order Regarding Treatment of Post-Petition Arrears Pursuant to Forbearance Agreement

The undersigned hereby consent to the form and entry of the foregoing order.



Scott D. Sherman, Esq.

Attorney for Debtor

Date:

/s/ Shauna M. Deluca

Shauna M. Deluca, Esq.

Attorney for Secured Creditor

Date: April 27, 2021

In re:
Michael S Weston
Debtor

Case No. 18-21762-RG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: May 06, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

| Symbol | Definition |
|--------|------------|
|--------|------------|

| | |
|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| + | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |
|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 08, 2021:

| Recip ID | Recipient Name and Address |
|----------|---------------------------------------------------------------|
| db | + Michael S Weston, 11 Camelot Way, Parsippany, NJ 07054-1407 |

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 08, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 6, 2021 at the address(es) listed below:

| Name | Email Address |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Aleisha Candace Jennings | on behalf of Creditor HSBC BANK USA NATIONAL ASSOCIATION AS TRUSTEE FOR NOMURA ASSET ACCEPTANCE CORPORATION, ALTERNATIVE LOAN TRUST, SERIES 2007-2 ajennings@raslg.com |
| Harold N. Kaplan | on behalf of Creditor HSBC BANK USA NATIONAL ASSOCIATION AS TRUSTEE FOR NOMURA ASSET ACCEPTANCE CORPORATION, ALTERNATIVE LOAN TRUST, SERIES 2007-2 hkaplan@rasnj.com, informationathnk@aol.com |
| John R. Morton, Jr. | on behalf of Creditor Ford Motor Credit Company LLC, servicer for CAB EAST LLC ecmail@mortoncraig.com, mortoncraigcf@gmail.com |
| Laura M. Egerman | on behalf of Creditor HSBC BANK USA NATIONAL ASSOCIATION AS TRUSTEE FOR NOMURA ASSET ACCEPTANCE CORPORATION, ALTERNATIVE LOAN TRUST, SERIES 2007-2 bkyecf@rasflaw.com, bkyecf@rasflaw.com;legerman@rasnj.com |
| Marie-Ann Greenberg | |

District/off: 0312-2

User: admin

Page 2 of 2

Date Rcvd: May 06, 2021

Form ID: pdf903

Total Noticed: 1

magecf@magtrustee.com

Rebecca Ann Solarz

on behalf of Creditor U.S. Bank National Association not in its individual capacity but solely as Trustee of SW REMIC Trust
2014-2 rsolarz@kmlawgroup.com

Scott D. Sherman

on behalf of Debtor Michael S Weston ssherman@minionsherman.com

Shauna M Deluca

on behalf of Creditor HSBC BANK USA NATIONAL ASSOCIATION AS TRUSTEE FOR NOMURA ASSET ACCEPTANCE
CORPORATION, ALTERNATIVE LOAN TRUST, SERIES 2007-2 sdeluca@raslg.com

Sindi Mncina

on behalf of Creditor HSBC BANK USA NATIONAL ASSOCIATION AS TRUSTEE FOR NOMURA ASSET ACCEPTANCE
CORPORATION, ALTERNATIVE LOAN TRUST, SERIES 2007-2 smncina@raslg.com

Sindi Mncina

on behalf of Trustee Marie-Ann Greenberg smncina@raslg.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 11